

Message Text

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ACTION AID-31

INFO OCT-01 AF-04 ISO-00 IGA-01 RSC-01 /038 W

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P R 010822Z NOV 74

FM AMEMBASSY COTONOU

TO AMEMBASSY ABIDJAN PRIORITY

INFO SECSTATE WASHDC 6667

AMEMBASSY NIAMEY

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EO 11652: N/A

TAGS: EAID, DM

SUBJ: MORRISON KNUDSEN DISPUTE OVER PAYMENT OF CUSTOMS DUTIES

1. EMBASSY HAS RECIEVED COPIES OF TELEXES SENT FROM MK OFFICE THE HWLWA, TO ABIDJAN AND COTONOU CONDERNING QUESTION WHETHER TO PAY CUSTOMS DUTIES ON SHIPMENT FOODSTUFFS PRESENTLY IN PORT COTONOU. WE ASSUME MK REP ABIDJAN HAS ALREADY APPROACHED REDSO

CONCERNING THIS MATTER AND HAS ASKED THAT USAID MAKE APPROPRIATE APPROACHES TO DAHOMEN GOVERNMENT SO THAT QUESTION CAN BE RESOLVED IN MK'S FAVOR.

2. FYI: EXACT TERMS OF MK CONTRACT UNCLEAR. MK SPECIFICIALLY ENJOYES DUTY FREE PRIVILEGES FOR CERTAIN COMMODITIES (I. A. THINGS WHICH ARE DIRECTLY RELATED TO CONSTRUCTION WORK) UNDER SECTION 4.050(A). HOWEVER, UNDER SECTION 4.050(F) MK ENTITLED TO REIMBURSEMENT OF ALL DUTIES AND TAXES PAID TO DAHOMEAN GOVT. MK UNWILLING PAY DUTIES AND THEN WAIT FOR REIMBURSEMENT DUE TO WELL KNOWN SHORTAGES OF FUNDS AFFLICTING DAHOMEAN GOVT. DORSCH PROJECT CONSULTANT HAS EVEN ADVISED MK TO HOLD OUT FOR NON-PAYMENT OF DUTIES. MK STRAIGHTENED MATTER OUT OCT 18 WITH MIN PW ATCHADE WHO WAS UNFORTUNATELY TRANSFERRED OCT 21 BEFORE HE COULD PUT HIS VERBAL AGREEMENT IN WRITING. MK SO FAR UNABLE TO APPROACH NEW MINISTER AND IS WAITING FOR AID'S ADVISE BEFORE REQUESTING AUDIENCE. END FYI.

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3. MK REPS COTONOU NOW ASKING FOR RESPONSE ASAP AS TO WEHTER

USAID WILL SUPPORT MK'S POSITION THAT SECTION 4.050(F) ENTITLES
THEM TO NON-PAYMENT OF DUTIES (AS OPPOSED TO REIMBURSEMENT
OF DUTIES AFTER THEY ARE PAID). PLEASE ADVISE EMBASSY WHETHER
WE SHOULD MAKE APPROACHES TO MRGD SUPPORTING MK'S POSITION AND THAT
THEY HAVE COMPLETE SUPPORT FROM USAID. PLEASE ALSO ADVISE WHE-
THER REDSO REP WILL VISIT SHORTLY TO DISCUSS MATTER WITH MRGD
AND MK OFFICIALS.
CHESHES

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Message Attributes

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Concepts: DISPUTES, CUSTOMS DUTIES, CONTRACTS
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Draft Date: 01 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: smithrj
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
Errors: N/A
Film Number: D740312-0817
From: COTONOU
Handling Restrictions: n/a
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Legacy Key: link1974/newtext/t19741180/aaaacpxl.tel
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To: ABIDJAN
Type: TE
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